



Charles L.A. Terreni
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The Public Service Commission State of South Carolina

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COMMISSIONERS
Elizabeth B. "Lib" Fleming, Fourth District
Chairman
John E. "Butch" Howard, First District
Vice Chairman
David A. Wright, Second District
Randy Mitchell, Third District
G. O'Neal Hamilton, Fifth District
Mignon L. Clyburn, Sixth District
Swain E. Whitfield, At-Large

Docketing Department
Jocelyn G. Boyd, Deputy Clerk
Phone: (803) 896-5114
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February 23, 2009

The Honorable Andre Bauer
President of the Senate
State House, 1st Floor
East Wing
P.O. Box 142
Columbia, South Carolina 29202

Dear Lieutenant Governor Bauer:

The South Carolina Public Service Commission is respectfully re-submitting Document No. 3222 relating to Interruption of Service, Computation of Time and Service between Parties of Record for legislative review. The Commission has removed regulation 103-859 regarding Emergency Procedures from Document No. 3222. Inquiries regarding these regulations should be addressed to Jocelyn Boyd or David Butler at (803) 896-5100.

Thank you for your attention regarding this matter.

Respectfully Submitted,

Charles L.A. Terreni
Chief Clerk and Administrator

Enclosure



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February 23, 2009

The Honorable Robert William Harrell
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29211

Dear Mr. Speaker:

The South Carolina Public Service Commission is respectfully re-submitting Document No. 3222 relating to Interruption of Service, Computation of Time and Service between Parties of Record for legislative review. The Commission has removed regulation 103-859 regarding Emergency Procedures from Document No. 3222. Inquiries regarding these regulations should be addressed to Jocelyn Boyd or David Butler at (803) 896-5100.

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DOCUMENT TRANSMITTAL FORM

This form must be completed and submitted with each document filed with the Editor of the *State Register* in the Legislative Council

Agency Name Public Service Commission	1. Chapter Number 103	2. Date of Filing February 24, 2009
3. Regulation Number 26 S.C. Code Ann. Regs. 103-514 26 S.C. Code Ann. Regs. 103-714 26 S.C. Code Ann. Regs. 103-831 26 S.C. Code Ann. Regs. 103-830.1	4. Subject of Regulation Interruption of Service, Computation of Time, and Service between Parties of Record	
5. Statutory Authority S.C. Code Ann. Section 58-3-140 (Supp. 2007)		

6. Type of Filing

- ☐ NOTICE OF GENERAL PUBLIC INTEREST
- ☐ NOTICE OF DRAFTING
- ☐ PROPOSED REGULATION
- ☐ EMERGENCY REGULATION
- ☐ FINAL REGULATION FOR GENERAL ASSEMBLY REVIEW
- ☒ RESUBMISSION OF WITHDRAWN REGULATION FOR GENERAL ASSEMBLY REVIEW
- ☐ FINAL REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW

5. For Additional Information, Contact		6. Telephone Number 896-5100
7. Typed Name of Official Jocelyn G. Boyd	8. Signature of Official <i>Jocelyn Boyd</i>	9. Date February 24, 2009

SOUTH CAROLINA STATE REGISTER USE ONLY	
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Document No. 3222
PUBLIC SERVICE COMMISSION
CHAPTER 103
Statutory Authority: 1976 Code Section 58-3-140

- 103-514. Interruption of Service/Violation of Rules
- 103-714. Interruption of Service
- 103-830.1. Service between Parties of Record
- 103-831. Computation of Time

Synopsis:

The Public Service Commission has promulgated amended regulations regarding notification to the Commission of Department of Health and Environmental Control (DHEC) violations which result in the issuance of a DHEC order and included provisions for water and wastewater advisories. Further, the Commission has promulgated an amended regulation governing computation of time to exclude Petitions for Reconsideration and Rehearing. Finally, the Commission has promulgated a new regulation which allows for the electronic service of documents between parties of record.

Instructions: Print the regulations in accordance with directions given below to reflect new regulations.

- 103-514 print as amended and shown below; A. & B. remain unchanged
- 103-714 print as amended and shown below; A. & B. remain unchanged
- 103-830.1 print as shown below
- 103-831 print as amended and shown below

Text:

103-514. Interruption of Service/Violation of Rules.

C. All Wastewater Utilities under the jurisdiction of the commission shall file with the commission and the ORS in writing a notice of any violation of a PSC regulation or a DHEC regulation which results in the issuance of a DHEC order. If the report includes information regarding a DHEC violation which results in the issuance of a DHEC order, the filer shall note if the DHEC order is under appeal and shall inform the commission of the resolution of the appeal. This notice shall be filed within twenty-four hours of the time of the inception of the violation or of the utility's receipt of the issuance of a DHEC order and shall detail the steps taken to correct the violation, if the violation is not corrected at the time of occurrence. The Company shall notify the commission and the ORS in writing within fourteen calendar days after the violation has been corrected.

D. All Wastewater Utilities under the jurisdiction of the commission shall provide the ORS Consumer Services Division a copy of all advisories affecting ten or more customers within twenty-four hours of issuance. The utility shall notify the ORS Consumer Services Division in writing when the advisory has been lifted.

103-714. Interruption of Service.

C. All Water Utilities under the jurisdiction of the commission shall file with the commission and the ORS in writing a notice of any violation of a PSC regulation or a DHEC regulation which results in the issuance of a DHEC order. If the report includes information regarding a DHEC violation which results in the issuance of a DHEC order, the filer shall note if the DHEC order is under appeal and shall inform the commission of the resolution of the appeal. This notice shall be filed within twenty-four hours of the time

of the inception of the violation or of the utility's receipt of the issuance of a DHEC order and shall detail the steps to be taken to correct the violation, if the violation is not corrected at the time of occurrence. The Company shall notify the commission and the ORS in writing within fourteen calendar days after the violation has been corrected.

D. All Water Utilities under the jurisdiction of the commission shall provide the ORS Consumer Services Division a copy of all advisories affecting ten or more customers within twenty-four hours of issuance. The utility shall notify the ORS Consumer Services Division in writing when the advisory has been lifted.

103-830.1. Service between Parties of Record.

Upon written agreement by all the parties in a docket, service of filings made in a docket at the commission may be made through e-mail or electronic service. The written agreement memorializing the parties' consents shall be filed with the commission in the appropriate docket.

103-831. Computation of Time.

The computation of time shall be governed by Rule 6 of the South Carolina Rules of Civil Procedure. Extensions of time may be granted by the commission for good cause shown. The provisions of Regulation 103-831 do not apply to Petitions for Rehearing or Reconsideration.

Fiscal Impact Statement:

There will be no increased costs to the State or its political subdivisions.

Statement of Rationale:

The purpose of 26 S.C. Code Ann. Regs. 103-514, 103-714, 103-830.1, and 103-831 is to provide, *inter alia*, that the Commission and the ORS are to be notified of violations of DHEC regulations that result in the issuance of a DHEC order; to exclude Petitions for Rehearing and Reconsideration from the regulation governing computation of time, as these Petitions are governed by statutes; and to allow for electronic service of pleadings between parties. There was no scientific or technical basis relied upon in the development of this regulation.